



# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

plicant(s):

Thomas P. Bishop, et al.

Title:

METHOD AND SYSTEM FOR APPLICATION-AWARE NETWORK

**QUALITY OF SERVICE** 

Application No.: 10/826,719

Filed:

April 16, 2004

Examiner:

Hong Sol Cho

Group Art Unit: 2662

Atty. Docket No.: VIEO1220

MS AMENDMENT COMMISSIONER FOR PATENTS PO Box 1450 Alexandria, VA 22313-1450

#### INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Dear Sir:

Pursuant to 37 C.F.R. § 1.56, § 1.97 and § 1.98, the undersigned brings the patents, publications, applications or other information identified in the attached:

Form(s) PTO/SB/08A and/or PTO/SB/08B or PTO/1449

Other: Invitation to Pay Additional Fees and Partial Search Report

to the Examiner's attention in the above-identified application. Citation of such information shall not be construed as:

- an admission that the information necessarily is, or corresponds to, prior art with respect to the instant invention;
- a representation that a search has been made, other than as described below; or 2.
- an admission that the information cited herein is, or is considered to be, material 3. to patentability as defined in § 1.56(b).

For each item of information listed that is not in the English language, the undersigned has provided a concise explanation of the relevance, such as through (i) an English language abstract, (ii) an English language equivalent application, (iii) reference to discussion in the application, or (iv) if cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action that

## CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents on Ochober Molly K. Harrison Typed or Printed Name

indicates the degree of relevance found by the foreign office.

## STATEMENT UNDER 37 C.F.R. § 1.704(d)

If the above-identified application is an original application filed on or after May 29, 2000:

Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.
 FEES DUE
 This Information Disclosure Statement is being filed:
 within three months of the filing date of a national application or within three months of entry of the national stage as set forth in § 1.491 in an international

application. Therefore, no fee is required.
before the mailing date of a first Office action on the merits or before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114. Therefore, no fee is believed required.
during the period specified in § 1.97(c). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application not more than three months prior to the filing of this Information Disclosure Statement.
during the period specified in § 1.97(c). Accordingly, the fee set forth in § 1.17(p) is required and provided as shown on the attached Fee Transmittal.
during the period specified in § 1.97(d). Accordingly, the fee set forth in § 1.17(p) is required and provided as shown on the attached Fee Transmittal. Additionally, each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application not more than three months prior to the filing of this Information Disclosure Statement.

Should any PTO fees be necessary for entry of this Information Disclosure Statement, the undersigned hereby authorizes the Commissioner to charge Deposit Account <u>50-2469</u>.

10/25/2005

Date

Respectfully submitted,

George R. Meyer, Reg. No. 35,284

Attorney for Applicant(s)

TOLER, LARSON & ABEL, L.L.P.

5000 Plaza On The Lake, Suite 265

Austin, Texas 78746

(512) 327-5515 (phone)

(512) 327-5452 (fax)

OCT 2 7 2005 the Paperworl

Sheet 1

PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE duction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known Application Number 10/826,719 Filing Date April 16, 2004 First Named Inventor Thomas P. Bishop Art Unit 2662 **Examiner Name** Hong Sol Cho Attorney Docket Number VIEO1220

Examiner	Cite	Document Number	Publication Date	F DOCUMENTS  Name of Patentee or	Pages, Columns, Lines, Where	
Initials*	No.1	Number-Kind Code <sup>2 (F known)</sup>	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear	
	A1	US- 5,130,974	07-14-1992	Kawamura et al.		
	B1	US- 2003/188003 A1	10-02-2003	Sylvest et al.		
	C1	US-				
	D1	US-				
	E1	US-				
	F1	US-				
	G1	US-				
	H1	US-				
	II	US-				
<del></del>	J1	US-				
	K1	US-				
	L1	US-				
	M1	US-				
	N1	US-				
,	01	US-				
	Pi	US-				
	Q1	US-				
	RI	US-				
	S1	US-				

		FOREIG	N PATENT DOC	JMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
		Country Code <sup>3 -</sup> Number <sup>4 -</sup> Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T⁵
	Tl	EP 0 840 533 A2	05-06-1998	Lucent Technologies, Inc.		
	U1					
	V1					
	Wı					
	X1					
	Yl					

Examiner	Date	· 1,
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. Senter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND** TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08B (07-05)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO		Complete if Known			
Substitute for form 1443/110				Application Number	10/826,719
INFO	DRMATION	DIS	CLOSURE	Filing Date	April 16, 2004
STATEMENT BY APPLICANT			PPLICANT	First Named Inventor	Thomas P. Bishop
(1)				Art Unit	2662
(Use as many sheets as necessary)			ecessary)	Examiner Name	Hong Sol Cho
Sheet	2	of	2	Attorney Docket Number	VIEO1220

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
	A2	PCT/US2005/012938, filed April 14, 2005; Invitation to Pay Additional Fees and Partial International Search Report.		
	B2			
	C2			
	D2	•		
•	E2			
	F2			
	G2			
	H2	• •		
	12			
	J2			

Examiner	Date	- 7	
Signature	Cons	sidered	

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:

Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.